

VENABLE LLP
ARI N. ROTHMAN (*pro hac vice*)
Email: anrothman@venable.com
P. RANDY SEYBOLD (*pro hac vice*)
Email: rseybold@venable.com
JANE B. BABER (*pro hac vice*)
Email: jbbaber@venable.com
600 Massachusetts Avenue, N.W.
Washington, D.C. 20001
Telephone: (202) 344-4000
Facsimile: (202) 344-8300

Aaron D. Shipley (NSBN 8258)
Tara U. Teegarden (NSBN 15344)
McDONALD CARANO LLP
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
Telephone: (702) 873-4100
Facsimile: (702) 873-9966
Email: ashipley@mcdonaldcarano.com
tteegarden@mcdonaldcarano.com
*Attorneys for T1 Payments LLC, T1 Payments Ltd.,
TGlobal Services Ltd., Donald Kasdon, Amber Fairchild,
Debra King, TGlobal Services LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

T1 PAYMENTS LLC, a Nevada limited liability
company,
Plaintiff,

vs.

NEW U LIFE CORPORATION, a California
corporation,
Defendant.

NEW U LIFE CORPORATION, a California
corporation,
Counterclaimant,

vs.

T1 PAYMENTS LLC, et al.,
Counterclaim-Defendants.

Case No.: 2:19-cv-01816-ART-DJA

**THE T1 PARTIES AND NEW U LIFE
CORP.'S JOINT STIPULATION TO
STRIKE ECF NO. 242 AND
WITHDRAW ECF NO. 244**

T1 Payments LLC, T1 Payments Ltd., TGlobal Services Ltd., Donald Kasdon, Amber Fairchild, Debra King, and TGlobal Services LLC (“T1 Parties”) and New U Life Corp. hereby submit this joint stipulation to request that the Court: (a) strike, and remove entirely from the docket, New U Life’s original reply brief in support of its motion for receiver and/or preliminary injunction filed as ECF No. 242 (but *not* any of the attachments filed as ECF No. 242-1 through 242-8); (b) treat New U Life’s corrected reply brief filed at ECF No. 245-2 as the operative reply; (c) deem withdrawn the T1 Parties’ motion to strike at ECF No. 244; and (d) excuse all affected parties from filing any response to New U Life’s application to file its original reply under seal (ECF No. 243).

Good cause exists for the Court to enter this stipulation because the parties resolved the T1 Parties’ motion to strike. Thus, granting this stipulation will conserve judicial and party resources without prejudicing any of the parties or altering any case deadlines. Specifically:

1. On June 15, 2022, New U Life filed its original reply in support of its motion to appoint a receiver, or in the alternative, for a preliminary injunction. (ECF No. 242.) New U Life’s original reply filed at ECF No. 242 exceeded the page limits set forth by LR 7-3(b).

2. The T1 Parties then filed a motion to strike the reply and for fee sanctions on June 17, 2022. (ECF No. 244.)

3. On June 17, 2022, New U Life filed an errata and a corrected reply that conforms to the page limit of LR 7-3(b). (ECF No. 245.)

4. The parties agree that the corrected reply brief filed at ECF No. 245-2 supersedes the original reply brief.

5. The T1 Parties maintain that the original reply brief filed as ECF No. 242 should be stricken and removed from the public docket because it should never have been filed to begin with for the reasons set forth in the pending motion to strike. New U Life disagrees with the contentions in the T1 Parties’ motion to strike and does not believe the motion should be granted. However, solely to resolve the motion, New U Life does not oppose the Court striking and removing from the public docket the original, now-superseded reply at ECF No. 242. New U Life’s agreement to strike ECF No. 242 does not reflect its agreement with any contentions in the T1 Parties’ motion to strike, and should not be deemed to constitute an admission of any intentional wrongdoing by New U Life

1 or be misconstrued as consent to granting the sanctions requested by the T1 Parties.

2 6. Once ECF No. 242 is stricken, the T1 Parties agree that their motion to strike, filed
3 at ECF No. 244, will be moot and the T1 Parties agree to withdraw that motion. By agreeing to
4 withdraw their motion, the T1 Parties do not agree with any contention in the corrected reply.

5 7. New U Life's reply filed at ECF No. 242 contained information designated
6 "Confidential" by the T1 Parties and/or counterclaim defendant Payvision B.V. under the parties'
7 stipulated protective order. Therefore, New U Life filed a redacted public version of the reply and
8 simultaneously filed an application to seal with a sealed, unredacted version of the reply (ECF No.
9 243). According to the Court's order entering the parties' stipulated protective order (ECF No. 93),
10 the parties designating the information "Confidential" would have to file a declaration in support of
11 keeping this reply under seal within seven days of its filing; i.e., June 22, 2022. The parties further
12 stipulate and agree that all affected parties do not need to file a declaration in support of keeping the
13 redacted portions of ECF No. 242 under seal because ECF No. 242 will be stricken and removed
14 from the docket if this stipulation is granted.

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WHEREFORE, the T1 Parties and New U Life request that the Court:

- (a) strike, and remove entirely from the docket, New U Life's original reply brief filed as ECF No. 242 (but *not* any of the attachments filed as ECF No. 242-1 through 242-8);
- (b) treat New U Life's corrected reply brief filed at ECF No. 245-2 as the operative reply;
- (b) deem withdrawn the T1 Parties' motion to strike at ECF No. 244; and
- (c) excuse all affected parties from filing any response to New U Life's application to file its original reply under seal (ECF No. 243).

Dated this 22nd day of June, 2022.

McDONALD CARANO, LLP

BROWN BROWN & PREMSRIRUT

By: /s/ Aaron D. Shipley
 Aaron D. Shipley
 Tara U. Teegarden
 2300 West Sahara Avenue, Suite 1200
 Las Vegas, Nevada 89102

By: /s/ Brianna Dahlberg
 Puoy K. Premsrirut
 520 S. Fourth Street, 2nd Floor
 Las Vegas, NV 89101

VENABLE LLP
 Ari N. Rothman (*pro hac vice*)
 P. Randy Seybold (*pro hac vice*)
 Jane B. Baber (*pro hac vice*)
 600 Massachusetts Avenue, N.W.
 Washington, D.C. 20001

ROME & ASSOCIATES, A.P.C.
 Brianna Dahlberg (*pro hac vice*)
 Eugene Rome (*pro hac vice*)
 2029 Century Park East, Suite 450
 Los Angeles, CA 90067


Attorneys for New U Life Corporation

*Attorneys for T1 Payments LLC, T1
 Payments Ltd., TGlobal Services Ltd.,
 Donald Kasdon, Amber Fairchild, Debra
 King, TGlobal Services LLC*

IT IS THEREFORE ORDERED that the parties' stipulation (ECF No. 250) is **granted**. The Clerk of Court is kindly directed to **strike** ECF No. 242, but not any of its attached exhibits.

IT IS FURTHER ORDERED that the T1 Parties' motion to strike (ECF No. 244) is **denied as moot**.

IT IS FURTHER ORDERED that New U Life's motion to seal (ECF No. 243) is **granted**.



 DANIEL J. ALBREGTS
 UNITED STATES MAGISTRATE JUDGE

DATED: June 23, 2022

CERTIFICATE OF SERVICE

I certify that I am an employee of McDonald Carano LLP, and that on the 22nd day of June, 2022, a true and correct copy of the foregoing **THE T1 PARTIES AND NEW U LIFE CORP.'S JOINT STIPULATION TO STRIKE ECF NO. 242 AND WITHDRAW ECF NO. 244** was electronically filed with the Clerk of the Court by using CM/ECF service which will provide copies to all counsel of record registered to receive CM/ECF notification.

/s/ Leah Jennings

An employee of McDonald Carano LLP